

McHENRY COUNTY CONSERVATION DISTRICT
McHENRY COUNTY, ILLINOIS
18410 U.S. Highway 14
Woodstock, Illinois 60098

ORDINANCE NO. 14-889

**AN ORDINANCE GOVERNING ENFORCEMENT OF THE McHENRY COUNTY
CONSERVATION DISTRICT'S "ORDINANCE SETTING FORTH THE RULES AND
REGULATIONS GOVERNING THE USE OF THE CONSERVATION SITES OF THE
DISTRICT" AND ESTABLISHING FINES AND PENALTIES FOR VIOLATIONS OF
SAID RULES AND REGULATIONS.**

WHEREAS, it is reasonable, necessary and desirable for the McHENRY COUNTY CONSERVATION DISTRICT, a Conservation District organized and existing under the laws of the State of Illinois, (hereinafter referred to as the "District") to establish a general use ordinance governing the use of the conservation sites of the District; and

WHEREAS, subject to the provisions of the Illinois Compiled Statutes, Chapter 70, Act 410, Sections 3 and 12, it is reasonable, necessary and desirable for the District to provide rules and regulations in order to provide for the safe and peaceful use of the Conservation sites; for the education and recreation of the public; for the protection and preservation of the property, facilities, flora and fauna of the District; and for the safety and general welfare of the public; and

WHEREAS, the District has the authority and the power to establish a general use ordinance;

WHEREAS, the District has adopted a general use ordinance entitled "AN ORDINANCE SETTING FORTH THE RULES AND REGULATIONS GOVERNING THE USE OF THE CONSERVATION SITES OF THE DISTRICT" (the "general use ordinance"); and

WHEREAS, the District has the authority and power to enforce said general use ordinance and to establish fines and penalties for violations of that ordinance; and

WHEREAS, the President and Board of Trustees of the District find it to be in the interest of the District and its residents to establish an ordinance governing the enforcement of its general use ordinance;

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the District as follows:

CHAPTER I - ENFORCEMENT

SECTION 1: POLICE:

Any Police, Deputy, Sheriff, State Policeman or any other duly sworn peace officer has the power and is authorized to arrest, with or without process, any persons found in the act of violating any Ordinance of the District or law of the State of Illinois.

SECTION 2: TWO PENALTIES - ONE JUDGMENT:

In all cases where the same offense shall be made punishable or shall be created by different clauses or sections of this or any other Ordinance or statute, the Police or other duly sworn peace officer or person prosecuting may elect under which to proceed but not more than one judgment shall be had against the same person for the same offense.

SECTION 3: FINES AND PENALTIES:

A. Any person found guilty of violating any provision of the general use ordinance shall be fined an amount not less than \$20.00 but not more than \$500.00.

B. All fines for Class C, D, E or F violations not requiring a court appearance shall be paid directly to the McHenry County Conservation District at 18410 U.S. Highway 14, Woodstock, Illinois, 60098. **The fine amounts below for Class C, D, E and F must be paid to the District within 30 days of the issuance of the citation, if not, the fine will increase by \$20. If the fine is not paid within 31-60 days of the issuance of the citation, the fine will increase an additional \$20 and at 61 days after the issuance of the citation, the citation will be forwarded to an agency for collections. At any time after the citation is written the recipient can contest the citation. If the recipient contests the citation, either initially or any time after the issuance of the citation the District will collect the citation and issue a complaint and notice to appear for the violation that gave rise to the citation. The complaint will be processed with the Circuit Clerk of McHenry County and a must appear court date will be issued.**

C. Fines shall be determined by the classification of the violations:

- Class A - fine not less than \$120.00, but not more than \$500.00 with a mandatory court appearance
- Class B - fine \$120.00 - payable only through the McHenry County Circuit Clerk's office
- Class C - fine \$75.00 - no mandatory appearance
- Class D - fine \$50.00 - no mandatory appearance
- Class E - fine \$30.00 - no mandatory appearance
- Class F - fine \$20.00 - no mandatory appearance

D. Special Fee Areas; Any and all permit violations occurring on property or properties owned or controlled by the District but

having permit fee structures mandated by agencies other than the District, shall have an additional penalty requiring payment of said fee in addition to any and all additional District fines.

E. Chronic Offenders: Any chronic offender of any part or parts of this Ordinance, after due notification, may be charged with "Criminal Trespass to State Supported Land", a Class A misdemeanor.

CHAPTER II - MISCELLANEOUS

SECTION 1: CONFLICT:

All District Ordinances and parts of Ordinances and all Resolutions and Directives, and any parts thereof, in conflict with this Ordinance, or any parts thereof, are hereby repealed.

SECTION 2: ENACTMENT:

This Ordinance shall be in full force and effect from and after its passage, approval and publication, as required by Statute.

SECTION 3: CAPTIONS AND HEADINGS:

The captions and headings used herein are for convenience of reference only and do not define or limit the contents of each paragraph.

SECTION 4: SEVERABILITY:

The provisions of this Ordinance shall be deemed to be severable and the invalidity of unenforceability of any provisions shall not affect the validity and enforceability of the other provisions hereof.

ORIGINALLY PASSED this 20th day of November 2014.

McHENRY COUNTY SUPERVISOR DISTRICT
[REDACTED]

By: [Signature]
DAVID BRANDT
PRESIDENT, BOARD OF TRUSTEES

Attest: [REDACTED]
BRANDON THOMAS
SECRETARY, BOARD OF TRUSTEES